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(Original Signature of Member)

118TH CONGRESS
1ST SESSION

H. R.

To amend the Internal Revenue Code of 1986 to allow first-dollar coverage of mental health services for purposes of health savings accounts.

IN THE HOUSE OF REPRESENTATIVES

Mr. FITZPATRICK introduced the following bill; which was referred to the Committee on _____

A BILL

To amend the Internal Revenue Code of 1986 to allow first-dollar coverage of mental health services for purposes of health savings accounts.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Opening Plans To In-
5 dividuals and Offering New Services for Mental Health
6 Act” or the “OPTIONS Act of 2023”.

1 **SEC. 2. SAFE HARBOR FOR ABSENCE OF DEDUCTIBLE FOR**
2 **MENTAL HEALTH SERVICES.**

3 (a) **IN GENERAL.**—Section 223(c)(2) of the Internal
4 Revenue Code of 1986 is amended by adding at the end
5 the following new subparagraph:

6 “(H) **SAFE HARBOR FOR ABSENCE OF DE-**
7 **DUCTIBLE FOR MENTAL HEALTH SERVICES.**—A
8 plan shall not fail to be treated as a high de-
9 ductible health plan by reason of failing to have
10 a deductible for not more than the first \$500
11 of any mental health benefits (as defined in sec-
12 tion 9812(e)(4)) specified by the plan for pur-
13 poses of this subparagraph.”.

14 (b) **EFFECTIVE DATE.**—The amendments made by
15 this section shall apply to plan years beginning after De-
16 cember 31, 2023.